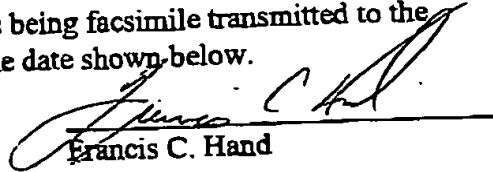


**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the USPTO at (703) 308-6916 on the date shown below.

May 14 2002  
Date

  
Francis C. Hand

FAX RECEIVED

MAY 14 2002

PETITIONS OFFICE

**Office of Petitions****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Burt Swersey, et al  
Serial No: 09/800,872  
Filed: March 7, 2001  
TITLE: DIFFERENTIAL PERMEOMETER Customer No.: 27162

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR RECONSIDERATION OF  
PETITION UNDER 37 CFR 1.47(a)**

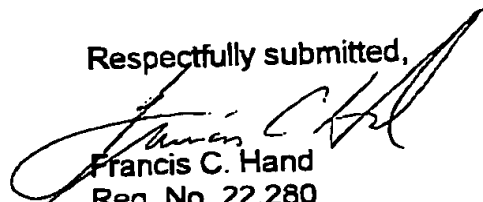
Sir:

In response to the Decision of March 15, 2002 refusing status under 37 CFR 1.47(a) enclosed herewith is an executed Declaration and Power of Attorney from the sole missing inventor Elias Kaplan.

Also attached is a Declaration by the undersigned regarding the diligent efforts undertaken to contact the non-signing inventor, Elias Kaplan. Of note, the address provided by the PTO is not a correct address.

Based upon the enclosed, it is submitted that the Petition Under 37 CFR 1.47(a) should be granted.

Respectfully submitted,

  
Francis C. Hand  
Reg. No. 22,280  
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Phone: 973-994-1700  
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